

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. 2011-588
Issue Date: August 4, 2011
Expiration Date: August 25, 2011**

21-Day Notice

This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: City of St. Joseph, Missouri
1100 Frederick Avenue
St. Joseph, Missouri 64501

PROJECT LOCATION (As shown on the attached drawings): The project site is located south east of U.S. 29/71 and Missouri Route "O" in Section 13, Township 56 north, Range 35 west, Buchanan County, Missouri.

(USGS QUAD: St. Joseph South -- Latitude: 39.6663 - Longitude: -94.7719)

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344)

PREVIOUSLY COMPLETED WORK: The existing wetlands on the site are contained within a former agricultural pond that was modified by culvert replacement and grading operations to provide better drainage from the site approximately 5 years ago. Wetlands impacted by this work have re-established within the modified basin behind the dam embankment. Approximately 360 linear feet of stream channel within and upstream of the former agricultural pond was previously graded and a road crossing was installed for equipment access at the site.

PROPOSED WORK ACTIVITY (As shown on the attached drawings): The proposed project involves the expansion of the existing St. Joseph sanitary landfill encompassing the entire project area. The landfill would be expanded by developing successive waste deposition cells involving clearing, excavation, installation of a clay or synthetic liner, installation of a leachate collection system and filling the excavated cells with waste materials. After filling, each cell will be graded, capped with soil and re-vegetated. The impacts of the proposed project to waters of the U.S. would involve the filling of approximately 1000 linear feet of a tributary to Pigeon Creek and a 1-acre palustrine emergent wetland contained within a former impoundment on this same tributary.

WETLANDS/AQUATIC HABITAT: There is approximately 1-acre of primarily emergent wetlands within an impoundment on the property that would be filled by the proposed project.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES:

The applicant has stated that impacts to waters of the U.S. will be minimized by the implementation of best management practices for stormwater control including sedimentation pond construction, a stormwater pollution prevention plan and the operation of the landfill in accordance with National Pollutant Discharge Elimination System standards. Due to the nature of the proposed work and the geographical limits of the existing landfill site, avoidance of the stream channel and wetland were not considered practical. Unavoidable impacts to streams and wetlands are proposed to be mitigated through an approved mitigation provider.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Brian Donahue at U.S. Army Corps of Engineers, Kansas City Regulatory Office, 635 Federal Building, 601 East 12th Street, Kansas City, Missouri, 64106, by telephone at (816) 389-3703, or by FAX at (816) 389-2032. All comments to this public notice should be directed to the above address. Please reference Permit No. 2011-588 in all comments and/or inquiries relating to this project.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the

proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

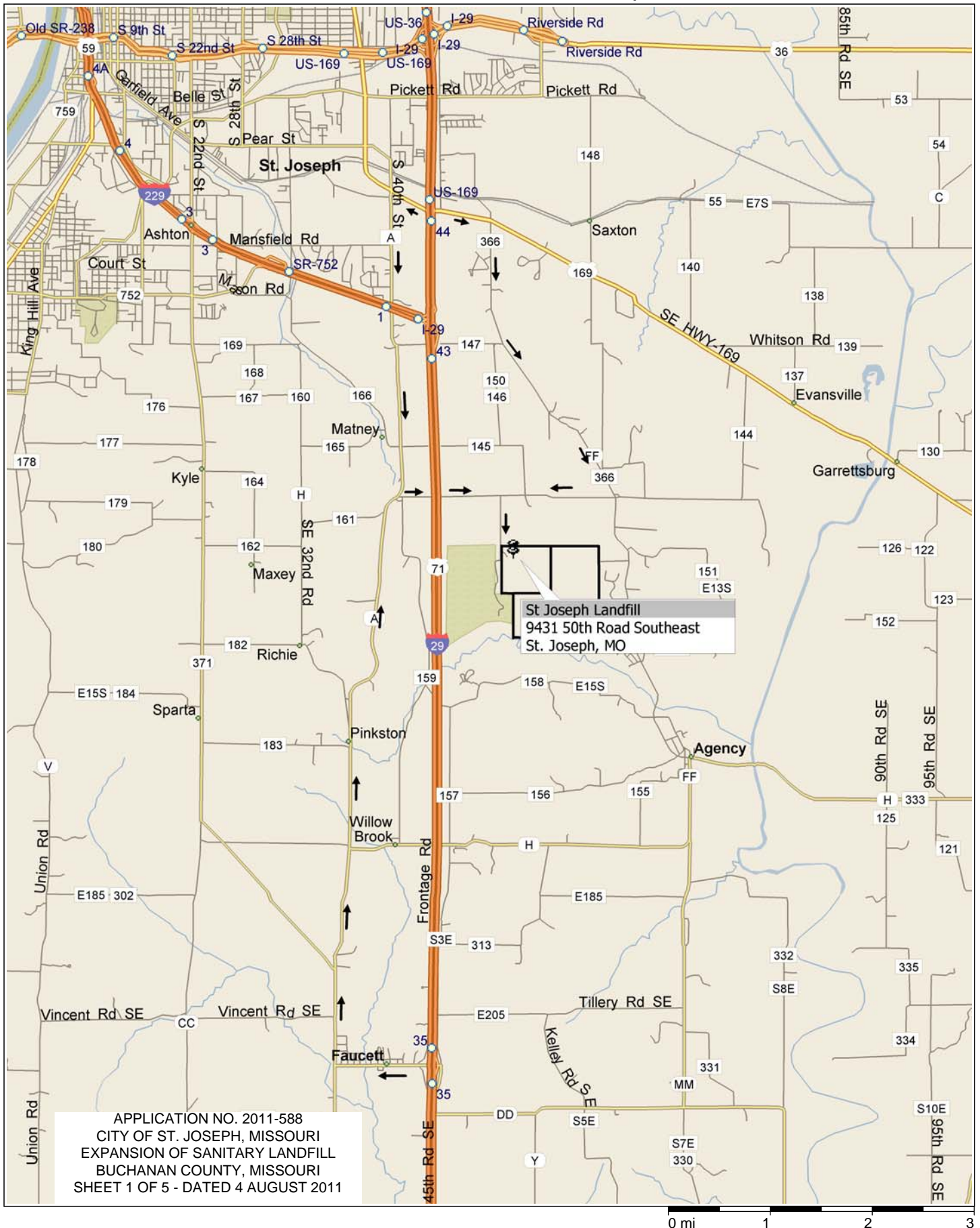
COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

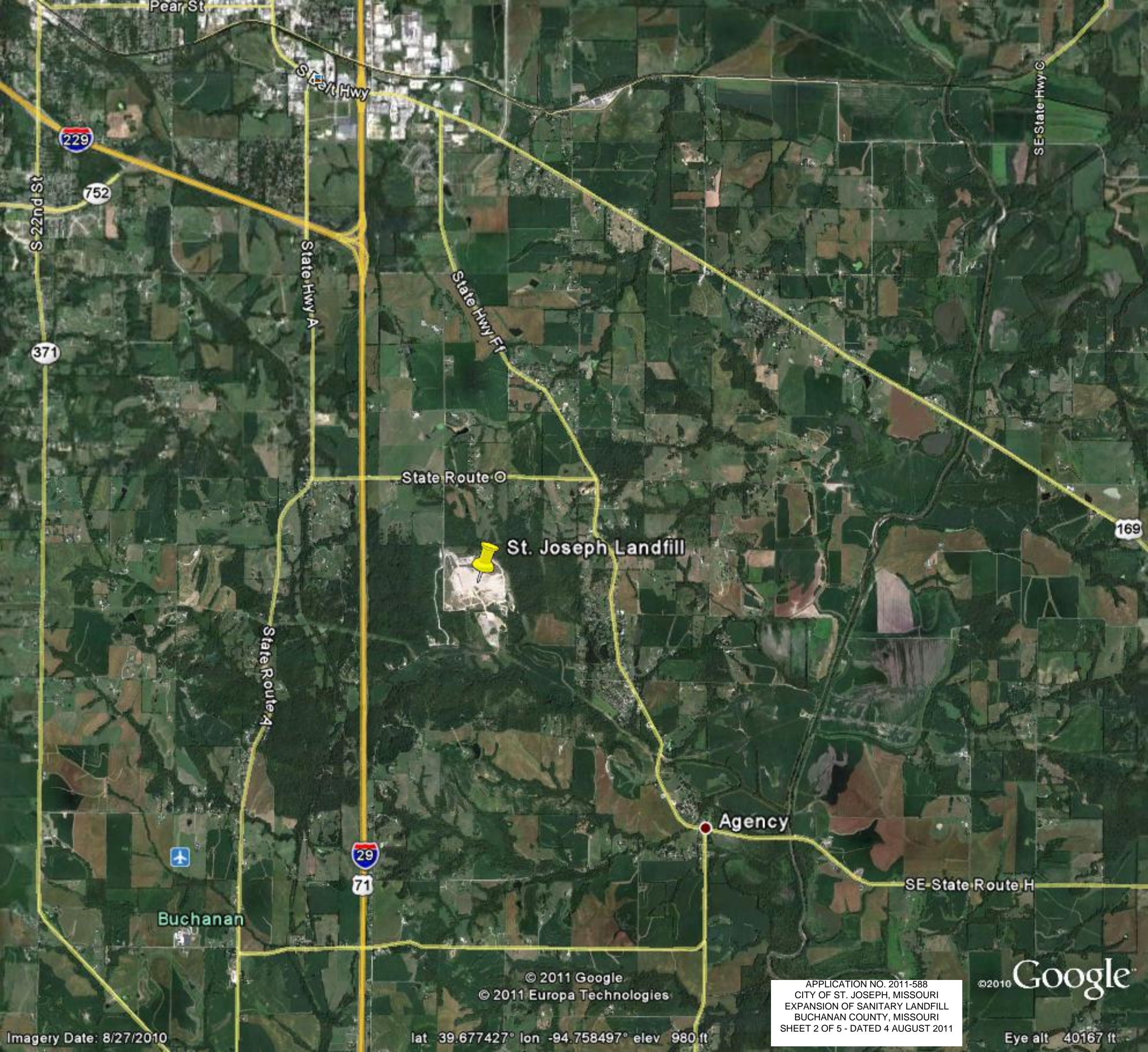
NOTE: This public notice is posted on the Kansas City District Regulatory web page and can be viewed at the following address:

<http://www.nwk.usace.army.mil/regulatory/CurrentPN/currentnotices.htm>

St Joe Landfill Location Map



APPLICATION NO. 2011-588
CITY OF ST. JOSEPH, MISSOURI
EXPANSION OF SANITARY LANDFILL
BUCHANAN COUNTY, MISSOURI
SHEET 1 OF 5 - DATED 4 AUGUST 2011



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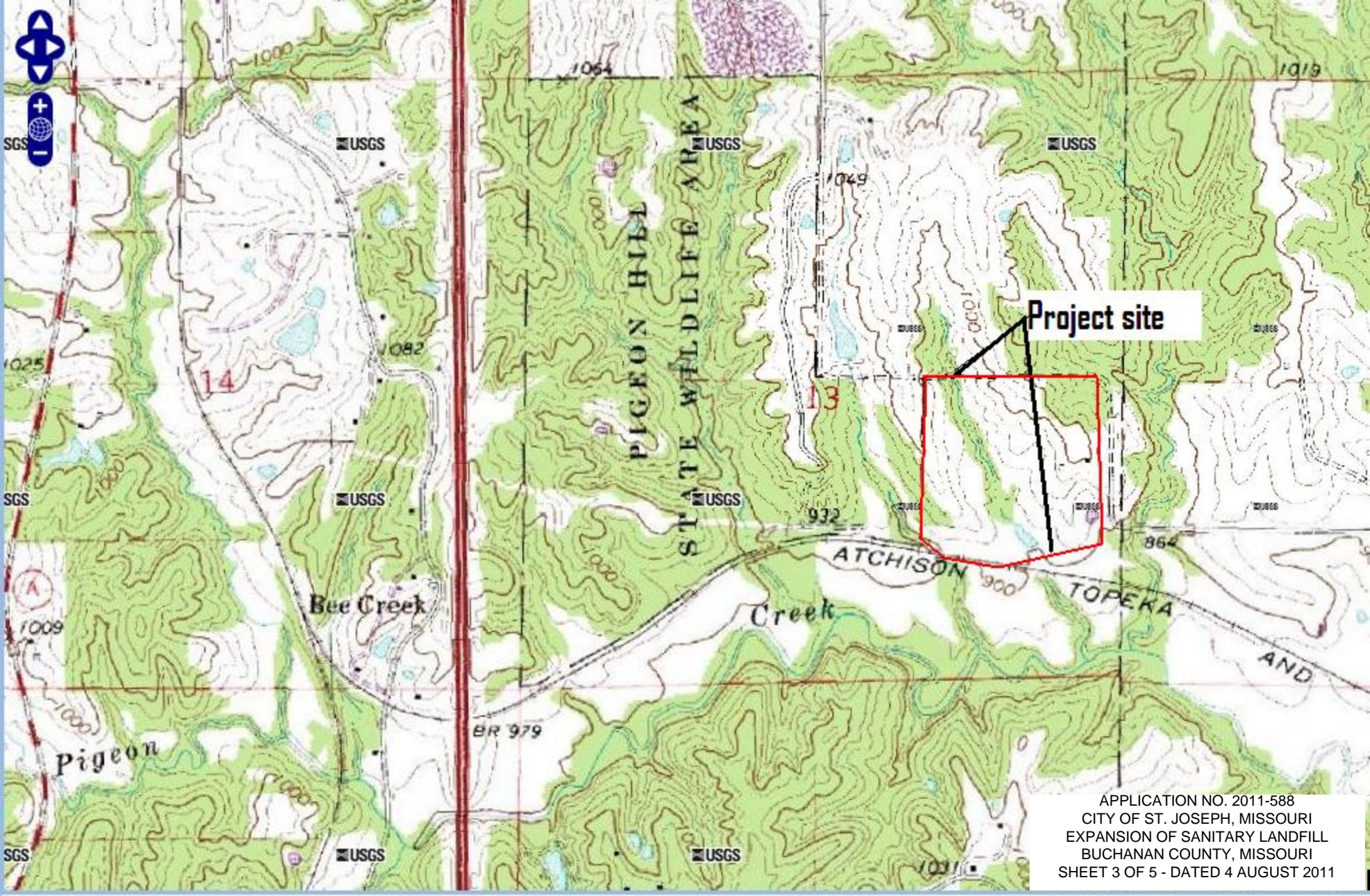
APPLICATION NO. 2011-588
CITY OF ST. JOSEPH, MISSOURI
EXPANSION OF SANITARY LANDFILL
BUCHANAN COUNTY, MISSOURI
SHEET 2 OF 5 - DATED 4 AUGUST 2011

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Imagery Date: 8/27/2010

lat 39.677427° lon -94.758497° elev 980 ft

Eye alt 40167 ft



Project site

Aug 27, 2010

Completed
work
360 feet

stream
fill/grading

pond &
wetland

Pond Embankment --->

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EXPANSION OF SANITARY LANDFILL
BUCHANAN COUNTY, MISSOURI
SHEET 4 OF 5 - DATED 4 AUGUST 2011

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lat 39.666247° lon -94.771188° elev 942 ft

Eye alt 2524 ft

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